



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Daniel E. E. Hayes, Jr. et al.
Serial No.: 10/721,830
Filing Date: 11/25/2003
Title: BIMETAL TIBIAL COMPONENT CONSTRUCT FOR
KNEE JOINT PROSTHESIS
Group Art Unit: 3738
Examiner: Unknown
Attorney's Docket No.: HAYES-3 CON

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CORRECTION OF FILING RECEIPT

Applicants hereby request that the following correction be made to the Filing Receipt which was issued for the above-identified patent application:

Under the section entitled "Domestic Priority data as claimed by applicant", please delete "This application is a CON of 09/910,646 07/19/2001 PAT 6,652,588 which claims benefit of 60/219,961 07/20/2000", and please insert -- This application is a CON of 09/910,646 07/19/2001 PAT 6,652,588 which claims benefit of 09/901,310 07/09/01 which is a CON of 09/079,502 05/14/98 PAT 6,261,322 and claims benefit of 60/219,961 07/20/00 --.

The foregoing changes are believed necessary to make the Filing Receipt consistent with the application as filed.

HAYES-3 CON

A copy of the Filing Receipt as issued is enclosed for the convenience of the Patent and Trademark Office. The Filing Receipt has been marked by hand in red pen to reflect the foregoing requested change.

Thank you.

Respectfully submitted,

James A. Sheridan 4/8/04

James A. Sheridan

Registration No. 43,114

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. (781) 290-0060

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450, ON:

April 8, 2004

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

James A. Sheridan 4/8/04

(SIGNATURE)

April 8, 2004

(DATE OF SIGNATURE)

KK/HAYES3CON.COR



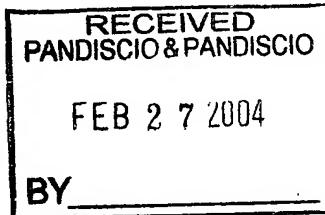
UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/721,830	11/25/2003	3738	0.00	HAYES-3 CON	3	11	1

Mark J. Pandiscio
Pandiscio & Pandiscio
470 Totten Pond Road
Waltham, MA 02154



CONFIRMATION NO. 4770
FILING RECEIPT



OC000000011960648

Date Mailed: 02/25/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt changes noted thereon. If you received a "Notice to File Missing Parts" for this any corrections to this Filing Receipt with your reply to the Notice. When the L to the Notice, the USPTO will generate another Filing Receipt incorporating the appropriate).

*to be connected
as per VT memo
of 3-30-04*

Applicant(s)

Daniel E. E. Hayes JR., Placerville, CA;
Alfred S. Depres III, Shingle Springs, CA;

Domestic Priority data as claimed by applicant

This application is a CON of 09/910,646 07/19/2001 PAT 0,652,588

which claims benefit of 60/219,961 07/20/2000

This application is a CON of 09/910,646 07/19/2001 PAT 0,652,588 which claims benefit of 09/901,810 07/09/01 which is a CON of 09/079,502 05/14/98

Foreign Applications PAT 6,261,322 and claims benefit of 60/219,961 07/20/00.

If Required, Foreign Filing License Granted: 02/24/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

See Nov

*6/1/04
Foreign filing date
5-25-03 11:00
11-25-04*

Early Publication Request: No

*Conceded filing receipt
3-27-04*

** SMALL ENTITY **

Title

Bimetal tibial component construct for knee joint prosthesis

Preliminary Class

623

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).